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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,706	07/02/2003	Jari Mononen	NOKM.054PA	3738
7590 Hollingsworth & Funk, LLC Suite 125 8009 34th Avenue South Minneapolis, MN 55425			EXAMINER BIAGINI, CHRISTOPHER D	
			ART UNIT	PAPER NUMBER
			2142	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/612,706

Applicant(s)

MONONEN ET AL.

Examiner

Christopher D. Biagini

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 11/5/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 8-9 and 13-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Each of the claims limits a feature which is made optional by the claim on which it depends. It is unclear whether Applicant's intent is to further limit each claim by requiring the feature, or to merely limit the feature itself.
3. Claims 8 and 14 recite the limitation "the Bluetooth device," but the Bluetooth device is not required by claims 7 and 13.
4. Similarly, claims 9 and 15 recite the limitation "the WLAN device," but the WLAN device is not required by claims 7 and 13.
5. Similarly, claim 13 recites the limitation "the CGI," but the CGI is not required by claim 10. Note that claim 10 merely requires a memory capable of storing a CGI.
6. For the purposes of this examination, the limitations cited above will be interpreted as merely limiting the features themselves. Therefore, dependent claims which modify optional features will also be considered optional. However, the Examiner will apply art to these optional claims in the interest of expediting prosecution.

7. Claims 7, 8, and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. The claims contain the trademark/trade name "Bluetooth." Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe a wireless data transfer protocol and, accordingly, the identification/description is indefinite.

9. For the purposes of this examination, the trademark "Bluetooth" will be interpreted as any wireless data transfer protocol.

### ***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

Art Unit: 2109

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-7, 10, 16, 17-18, and 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamaguchi (US Pat. No. 6,980,826).

12. As to claim 1, Yamaguchi shows a mobile information system to provide information to network entities within a network, the mobile information system comprising: a mobile information server (cellular phone 304: see Fig. 10) arranged to receive addressed information requests from the network entities (the entities comprising PC 313 and web browser software 307: see Fig. 10 and col. 7, lines 53-57); and at least one information source (for example, camera 309), wherein the mobile information server facilitates information exchange from the at least one information source in response to the addressed information requests from the network entities (see col. 12, line 57 to col. 13, line 5).

13. As to claim 2, it is noted that the at least one information source applied above (camera 309) is internal to the mobile information server (see Fig. 10).

14. As to claim 3, Yamaguchi shows the limitations of claim 2 as applied above, and further shows wherein the at least one information source contains information generated by the mobile information server (the information comprising image data: see col. 12, line 57 to col. 13, line 5 and col. 9, lines 21-35).

15. As to claim 4, Yamaguchi shows the limitations of claim 3 as applied above, and further shows wherein the information generated by the mobile information server includes image data captured by the mobile information server (see col. 9, lines 21-25).

16. As to claim 5, Yamaguchi shows the limitations of claim 5 as applied above, and further shows wherein the information generated by the mobile information server includes telemetry data related to the mobile information server (the information comprising the converted location data, which includes telemetry data and is generated by extended software module 311, a component of cellular phone 304: see col. 12, lines 30-33).

17. As to claim 6, Yamaguchi shows the limitations of claim 1 as applied above, and further shows wherein the at least one information source is external to the mobile information server (the information source comprising GPS 303: see Fig. 10).

18. As to claim 7, Yamaguchi shows the limitations of claim 6 as applied above, and further shows wherein the mobile information server exchanges information with a hard wired device (the device comprising GPS 303: see Fig. 10).

19. As to claim 10, Yamaguchi shows a mobile terminal (cellular phone 304) wirelessly coupled to a network (inherently shown, as cellular phones connect wirelessly

to networks) which includes a network element (PC 313) capable of requesting information from the mobile terminal through the use of addressed requests to the mobile terminal (see col. 7, lines 53-57), the mobile terminal comprising: a memory (inherently disclosed as the device which stores the software modules shown in Fig. 10) capable of storing at least a protocol module, a server directory containing requested information, and a Common Gateway Interface (inherently disclosed, as a memory which stores the software modules as shown in Fig. 10 would also be capable of storing a protocol module, a server directory, and a CGI); a processor (inherently disclosed as a necessary component of any device which executes software modules, such as those shown in Fig. 10) coupled to the memory and configured by the protocol module (web server software 306) to provide the requested information to the network element in response to the information request (see col. 12, line 57 to col. 13, line 5); and a transceiver configured to facilitate the requested information exchange with the network element (inherently disclosed as a necessary component of any cellular phone).

20. As to claim 16, Yamagochi shows a computer-readable medium having instructions stored thereon which are executable by a mobile information server (inherent to any computer-implemented device, such as cellular phone 304) for facilitating information transfer to network elements by performing steps comprising: receiving information requests from the network elements (see col. 7, lines 53-57); determining a source for the information requested (comprising the step of determining whether the request is for image data or location data, which is a necessary step in a

Art Unit: 2109

system where both types of information may be requested: see col. 12, lines 57-63); accessing the information from the determined source (see col. 12, lines 12-29); and conducting a transfer of the requested information to the network elements (see col. 12, lines 30-33).

21. As to claim 17, Yamagochi shows a method of providing information from a mobile server to requesting network elements, comprising: receiving information requests from the network elements (see col. 7, lines 53-57); determining a source for the information requested (comprising the step of determining whether the request is for image data or location data, which is a necessary step in a system where both types of information may be requested: see col. 12, lines 57-63); accessing the information from the determined source (see col. 12, lines 12-29); and conducting a transfer of the requested information to the network elements (see col. 12, lines 30-33).

22. As to claim 18, Yamagochi shows the limitations of claim 17 as applied above, and further shows wherein the information requests received are addressed to the mobile server (see col. 7, lines 53-57).

23. As to claim 21, Yamagochi shows the limitations of claim 17 as applied above, and further shows wherein the determined source is internal to the mobile information server (the source comprising camera 309).



24. As to claim 22, Yamaguchi shows the limitations of claim 18 as applied above, and further shows wherein the determined source is external to the mobile information server (the information source comprising GPS 303: see Fig. 10).

***Claim Rejections - 35 USC § 103***

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. Claims 11, 12, 19, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi (US Pat. No. 6,980,826).

27. As to claim 11, Yamaguchi shows the limitations of claim 10 as applied above, and further shows an imaging device arranged to capture images (camera 309), but does not explicitly show storing the images in the server directory.

28. However, the Examiner takes Official Notice that it is notoriously old and well-known in the art to store images in a server directory. It would have been obvious to arrange the camera of Yamaguchi to store images in a server directory in order to save the pictures for future requests from clients.

Art Unit: 2109

29. As to claim 12, Yamagochi shows the limitations of claim 10 as applied above, and further shows a telemetry device arranged to capture telemetry data (GPS 303), but does not explicitly show storing the telemetry data in the server directory.

30. However, the Examiner takes Official Notice that it is notoriously old and well-known in the art to store data in a server directory. It would have been obvious to arrange the telemetry device of Yamagochi to store data in a server directory in order to save the data for future requests from clients.

31. As to claim 19, Yamagochi shows the limitations of claim 18 as applied above, and further shows the address comprising a URL (see col. 7, lines 53-57), but does not show the address including an Internet Protocol address.

32. However, the Examiner takes Official Notice that is notoriously old and well-known in the art for a URL to contain an Internet Protocol address. It would have been obvious to one of ordinary skill in the art to include an Internet Protocol address in the URL of Yamagochi in order to provide the ability to access the server even when a hostname has not been assigned to the mobile server.

33. As to claim 25, Yamagochi discloses the limitations of claim 17 as applied above, and further shows video conferencing (an application which frequently uses streaming: see col. 10, lines 45-49), but does not show wherein transferring the information includes using a streaming protocol.

Art Unit: 2109

34. However, the Examiner takes Official Notice that it is notoriously old and well-known in the art to transfer information using a streaming protocol. It would have been obvious to transfer the information of Yamagochi with a streaming protocol in order to provide faster access to large media files or access to media which is generated in real time.

35. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagochi (US Pat. No. 6,980,826) in view of Bajikar (US PG PUB 2002/0194500).

36. Yamagochi shows the limitations of claim 8 as applied above, but does not show wherein information exchanged with a Bluetooth device is used to support a security access system. Note that since the claim does not refer to an information exchange in particular, the claim requires only that the device exchanges *any* information which is used to support a security access system.

37. Bajikar shows exchanging information with a Bluetooth device (one of BTAPs 120A-120N) to support a security access system (see [0036]). It would have been obvious to modify the invention of Yamagochi with the information exchange of Bajikar in order to provide access control, tracking and security services (see [007]).

38. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagochi (US Pat. No. 6,980,826) in view of Chang et al. (US Pat. No. 6,583,807, hereinafter "Chang").

Art Unit: 2109

39. Yamagochi shows the limitations of claim 8 as applied above, but does not show wherein information exchanged with a WLAN device is used to support a video conferencing system. Note that since the claim does not refer to an information exchange in particular, the claim requires only that the device exchanges *any* information which is used to support a security access system.

40. Chang shows exchanging information with a WLAN device (wireless network machine 100: see Fig. 2) in order to support a video conferencing system (see col. 2, lines 23-33). It would have been obvious to modify the invention of Yamagochi with the information exchange of Chang in order to provide a low-cost video conference device which is not fixed to a single location (see col. 1, lines 37-43).

41. Claims 13 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagochi (US Pat. No. 6,980,826) in view of Wagner (US Pat. No. 5,742,845).

42. As to claim 13, Yamagochi shows the limitations of claim 13 as applied above, but does not show a CGI which facilitates transfer with any of a Wireless Local Area Network, Bluetooth, Infrared, or hard wired device. It is noted, however, that the memory of Yamagochi would be capable of storing such a CGI.

43. Wagner shows a CGI facilitating transfer with a hard wired device (system 40: see Fig. 1, lines 10-15 of col. 10, and lines 41-45 of col. 16). It would have been obvious to include such a CGI in the memory of Yamagochi in order to allow network devices

which do not use the communication protocol of the hard wired device to access the hard wired device (see Wagner, lines 10-15 of col. 10).

44. As to claim 23, Yamagochi shows the limitations of claim 22 as applied above, but does not show the address containing a reference to a Common Gateway Interface (CGI). Wagner shows an address containing a reference to a CGI (see col. 10, lines 52-60).

45. It would have been obvious to include a reference to a CGI in the address of Yamagochi in order to allow network devices which do not use the communication protocol of the hard wired device to send information to the hard wired device through a CGI (see Wagner, lines 10-15 of col. 10).

46. As to claim 24, it is noted that the CGI of Wagner as applied above performs a protocol conversion between an information request protocol used by the network elements and a protocol used by the external information source (see col. 10, lines 10-15).

47. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagochi (US Pat. No. 6,980,826) in view of Wagner (US Pat. No. 5,742,845), and further in view of Bajikar (US PG PUB 2002/0194500).

48. Yamagochi in view of Wagner shows the limitations of claim 13 as applied above, but does not show wherein information transfer with a Bluetooth device facilitates

Art Unit: 2109

communication with a security access point. Note that since the claim does not refer to an information transfer in particular, the claim requires only that the terminal exchanges *any* information which is used to facilitate communication with a security access point.

49. Bajikar shows information transfer with a Bluetooth device (Bluetooth transceiver 360) which facilitates communication with a security access point (one of BTAPs 120A-120N: see [0036]). It would have been obvious to modify the invention of Yamagochi with the information transfer of Bajikar in order to provide access control, tracking and security services (see [007]).

50. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagochi (US Pat. No. 6,980,826) in view of Wagner (US Pat. No. 5,742,845), and further in view of Chang (US Pat. No. 6,583,807).

51. Yamagochi in view of Wagner shows the limitations of claim 13 as applied above, but does not show wherein information exchanged with a WLAN device facilitates video conferencing. Note that since the claim does not refer to an information transfer in particular, the claim requires only that the terminal exchanges *any* information which is used to facilitate video conferencing.

52. Chang shows information transfer with a WLAN device (wireless network machine 100: see Fig. 2) facilitates video conferencing (see col. 2, lines 23-33). It would have been obvious to modify the invention of Yamagochi with the information transfer of Chang in order to provide a low-cost video conference device which is not fixed to a single location (see col. 1, lines 37-43).

Art Unit: 2109

53. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagochi (US Pat. No. 6,980,826) in view of McConnell et al. (US PG PUB 2002/0015403, hereinafter "McConnell").

54. Yamagochi shows the limitations of claim 18 as applied above, but does not show wherein the address includes a Mobile Station Integrated Services Digital Network Number (MSISDN). McConnell shows an address including an MSISDN (see [0157]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Yamagochi with the MSISDN of McConnell in order to identify the requestor to the mobile server (see McConnell [0157]).

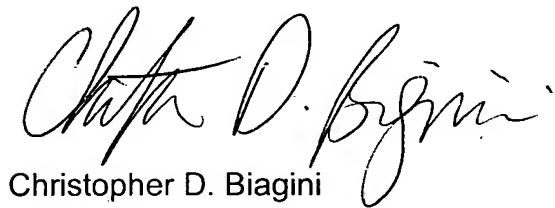
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher D. Biagini whose telephone number is (571) 272-9743. The examiner can normally be reached on M-R 7:30-5, 7:30-4 alternate Fridays.

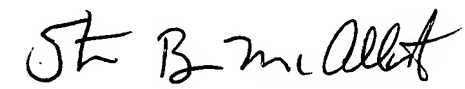
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven McAllister can be reached on (571) 272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2109

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Christopher D. Biagini



STEVE MCALLISTER  
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